

## Message Text

LIMITED OFFICIAL USE

PAGE 01 GENEVA 03326 281524Z

43

ACTION L-03

INFO OCT-01 EUR-25 IO-14 ISO-00 ACDA-19 CIAE-00 DODE-00

PM-07 INR-10 NSAE-00 NASA-04 NSC-07 RSC-01 SCI-06

CCO-00 OTPE-00 EB-11 FCC-03 OC-06 COME-00 AF-10

ARA-16 EA-11 NEA-14 DRC-01 /169 W

----- 059993

R 281415Z MAY 74

FM USMISSION GENEVA

TO SECSTATE WASHDC 6050

INFO AMEMBASSY MOSCOW

AMEMBASSY OTTAWA

USUN NEW YORK 454

LIMITED OFFICIAL USE GENEVA 3326

E.O. 11652: N/A

TAGS: TSPA, PFOR, UN

SUBJECT: OUTER SPACE LEGAL: DIRECT BROADCASTING  
BY SATELLITES

1. DBS WORKING GROUP OF LEGAL SUBCOMMITTEE COMPLETED WORK FOR THIS SESSION ON DBS PRINCIPLES EARLY SATURDAY MORNING MAY 25. HEAVILY BRACKETED TEXTS OF FIVE PRINCIPLES, ON APPLICABILITY OF INTERNATIONAL LAW, RIGHTS AND BENEFITS OF STATES, INTERNATIONAL COOPERATION, STATE RESPONSIBILITY, AND PEACEFUL SETTLEMENT OF DISPUTES, WILL NOT BE INCLUDED IN SUBCOMMITTEE'S REPORT TO OUTER SPACE COMMITTEE. TEXTS BEING AIRPOUCHED.

2. DURING COURSE OF LENGTHY DEBATE ON DBS US DELREINTERATED USG VIEW THAT: (A) DBS DOES NOT TODAY CONSTITUTE A THREAT TO ANYONE, THAT IT MAY NEVER BECOME ECONOMICALLY FEASIBLE, AND HENCE THAT URGENT ELEABORATION OF PRINCIPLES IS NOT ESSENTIAL; (B) TECHNOLOGICAL DEVELOPMENTS MAY ALLOW ELIMINATION OF ALL SPILLOVER PROBLEMS;  
LIMITED OFFICIAL USE

LIMITED OFFICIAL USE

PAGE 02 GENEVA 03326 281524Z

(C) MORE THAN ADEQUATE OPPORTUNITY EXISTS FOR EXERTING

GOVERNMENT CONTROL AT THE RECEIVING END OF A BROADCAST, IF ONE IS INCLINED TO DO SO; (D) WE ARE FULLY PREPARED TO RESPECT THE TECHNICAL RESTRAINTS ON BROADCASTING UNDER THE ITU CONVENTION AND RADIO REGULATIONS, BUT WE ARE NOT PREPARED TO ACCEPT GOVERNMENTAL RESTRAINTS ON THE INTELLECTUAL ENVIRONMENT; (E) WE CANNOT ACCEPT GENERAL ASSERTIONS OF STATE SOVEREIGNTY AS THE SOLE ELEMENT TO BE CONSIDERED AS A JUSTIFICATION FOR ANY AND ALL RESTRICTIONS, OR AS A LEGAL PRINCIPLE WHICH COMPLETELY OVERRIDES ALL OTHERS; AND (F) NEITHER THE USG NOR THE PRIVATE MEDIA IN THE US HAVE TO OUR KNOWLEDGE ANY PLANS TO DEVELOP, BUILD OR LAUNCH A SATELLITE CAPABLE OF DIRECT TELEVISION BROADCASTING.

3. CANADIAN DEL AGAIN CALLED ATTENTION TO DISTINCTION BETWEEN CANADIAN-SWEDISH APPROACH TO PRIOR CONSENT THROUGH ITU MODEL AND THE SOVIET PROPOSAL WHICH FOCUSES ON PROGRAM CONTENT. THE SOVDEL STRONGLY ASSERTED NEED FOR RESTRICTIONS ON ANY PROGRAM CONTENT THAT WAS NOT DESIRABLE FOR A PARTICULAR LOCAL AUDIENCE, ALTHOUGH WITHIN THOSE PARAMETERS INFORMATION AND IDEAS COULD BE FREELY EXCHANGED (SIC).

5. COMMENT: GENERAL TENOR WITHIN LEGAL SUBCOMMITTEE WORKING GROUP ON DBS WAS CAUTIOUS SATISFACTION THAT SOME SPECIFIC LANGUAGE, HOWEVER HEAVILY BRACKETED, WAS FINALLY BEING DISCUSSED, AND THAT AT LAST THE EFFORT TO DRAFT A FINAL TEXT HAD BEGUN. FEW ILLUSTRATIONS EXIST REGARDING DIFFICULTIES WHICH LIE AHEAD IN SEARCH FOR AGREEMENT, BUT MOST DELS ARE PLEASED TO HAVE MADE A START.DALE

LIMITED OFFICIAL USE

NNN

## Message Attributes

**Automatic Decaptioning:** X  
**Capture Date:** 01 JAN 1994  
**Channel Indicators:** n/a  
**Current Classification:** UNCLASSIFIED  
**Concepts:** INTERNATIONAL LAW, COMMUNICATION SATELLITES, TELEVISION BROADCASTING  
**Control Number:** n/a  
**Copy:** SINGLE  
**Draft Date:** 28 MAY 1974  
**Decaption Date:** 01 JAN 1960  
**Decaption Note:**  
**Disposition Action:** RELEASED  
**Disposition Approved on Date:**  
**Disposition Authority:** garlanwa  
**Disposition Case Number:** n/a  
**Disposition Comment:** 25 YEAR REVIEW  
**Disposition Date:** 28 MAY 2004  
**Disposition Event:**  
**Disposition History:** n/a  
**Disposition Reason:**  
**Disposition Remarks:**  
**Document Number:** 1974GENEVA03326  
**Document Source:** CORE  
**Document Unique ID:** 00  
**Drafter:** n/a  
**Enclosure:** n/a  
**Executive Order:** N/A  
**Errors:** N/A  
**Film Number:** D740133-0730  
**From:** GENEVA  
**Handling Restrictions:** n/a  
**Image Path:**  
**ISecure:** 1  
**Legacy Key:** link1974/newtext/t19740515/aaaaamrq.tel  
**Line Count:** 92  
**Locator:** TEXT ON-LINE, ON MICROFILM  
**Office:** ACTION L  
**Original Classification:** LIMITED OFFICIAL USE  
**Original Handling Restrictions:** n/a  
**Original Previous Classification:** n/a  
**Original Previous Handling Restrictions:** n/a  
**Page Count:** 2  
**Previous Channel Indicators:**  
**Previous Classification:** LIMITED OFFICIAL USE  
**Previous Handling Restrictions:** n/a  
**Reference:** n/a  
**Review Action:** RELEASED, APPROVED  
**Review Authority:** garlanwa  
**Review Comment:** n/a  
**Review Content Flags:**  
**Review Date:** 16 APR 2002  
**Review Event:**  
**Review Exemptions:** n/a  
**Review History:** RELEASED <16 APR 2002 by kellew0>; APPROVED <29 JUL 2002 by garlanwa>  
**Review Markings:**

Declassified/Released  
US Department of State  
EO Systematic Review  
30 JUN 2005

**Review Media Identifier:**  
**Review Referrals:** n/a  
**Review Release Date:** n/a  
**Review Release Event:** n/a  
**Review Transfer Date:**  
**Review Withdrawn Fields:** n/a  
**Secure:** OPEN  
**Status:** NATIVE  
**Subject:** OUTER SPACE LEGAL: DIRECT BROADCASTING BY SATELLITES  
**TAGS:** TSPA, PFOR, UN, OUTER SPACE COMMITTEE  
**To:** STATE  
**Type:** TE  
**Markings:** Declassified/Released US Department of State EO Systematic Review 30 JUN 2005